

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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In Re: PHARMACEUTICAL INDUSTRY :  
AVERAGE WHOLESALE PRICE : MDL NO. 1456  
LITIGATION :  
:  
THIS DOCUMENT RELATES TO: : Master File No. 01-CV-12257-PBS  
:  
*State of Montana v. Abbott Labs., Inc. et al.* : Judge Patti B. Saris  
02-CV-129804-PBS; :  
*State of Nevada v. American Home Products,* :  
*Corp., et al.* 02-CV-12086-PBS. :  
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**CONSENT MOTION FOR AN EXTENSION OF TIME TO ANSWER**  
**THE STATE OF MONTANA'S SECOND AMENDED COMPLAINT AND THE**  
**STATE OF NEVADA'S AMENDED COMPLAINT**

The undersigned defendants hereby move, with the consent of plaintiffs, for an extension of time to July 12, 2004 to answer the State of Montana's Second Amended Complaint and the State of Nevada's Amended Complaint. This extension is necessary given the length of each complaint. A proposed scheduling order is attached hereto.

Dated: Boston, Massachusetts  
June 22, 2004

Respectfully submitted,  
ON BEHALF OF ALL DEFENDANTS  
REQUIRED TO ANSWER THE MONTANA  
AND NEVADA COMPLAINTS

By: /s/ Lucy Fowler  
Nicholas C. Theodorou (BBO # 496730)  
Lucy Fowler (BBO # 647929)  
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Counsel for AstraZeneca Pharmaceuticals LP

**CERTIFICATE OF SERVICE**

I certify that on June 22, 2004, a true and correct copy of the foregoing Consent Motion was served on all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy to Verilaw Technologies for posting and notification to all parties.

/s/ Lucy Fowler  
Lucy Fowler

**CERTIFICATION PURSUANT TO LOCAL RULE 7.1**

Pursuant to Local Rule 7.1(A)(2), the undersigned certifies that counsel for plaintiffs assents to this motion.

/s/ Lucy Fowler  
Lucy Fowler

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**[PROPOSED] SCHEDULING ORDER**

IT IS HEREBY ORDERED that Defendants required to answer the State of Montana's Second Amended Complaint and the State of Nevada's Amended Complaint shall be granted an extension until July 12, 2004 to file answers.

Dated: June \_\_, 2004

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Hon. Patti B. Saris  
United States District Judge